

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4504
OFFERED BY MR. McKEON

Strike all after the enacting clause and insert the
following:

1 SECTION 1. SHORT TITLE; REFERENCE; EFFECTIVE DATE.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Higher Education Technical Amendments of 2000”.

4 (b) REFERENCE.—Except as otherwise expressly pro-
5 vided in this Act, whenever in this Act an amendment or
6 repeal is expressed in terms of an amendment to, or repeal
7 of, a section or other provision, the reference shall be con-
8 sidered to be made to a section or other provision of the
9 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

10 (c) EFFECTIVE DATE.—Except as otherwise provided
11 in this Act, the amendments made by this Act shall take
12 effect as if enacted as part of the Higher Education
13 Amendments of 1998 (Public Law 105–244).

14 SEC. 2. TECHNICAL AMENDMENTS.

15 (a) AMENDMENTS TO TITLE I.—

16 (1) Section 101(a)(1) (20 U.S.C. 1001(a)(1)) is
17 amended by inserting before the semicolon at the
18 end the following: “, or students who meet the re-
19 quirements of section 484(d)(3)”.

1 (2) Section 102(a)(2) (20 U.S.C. 1002(a)(2)) is
2 amended to read as follows:

3 “(2) INSTITUTIONS OUTSIDE THE UNITED
4 STATES.—

5 “(A) IN GENERAL.—For the purpose of
6 qualifying as an institution under paragraph
7 (1)(C), the Secretary shall establish criteria by
8 regulation for the approval of institutions out-
9 side the United States and for the determina-
10 tion that such institutions are comparable to an
11 institution of higher education as defined in
12 section 101 (except that a graduate medical
13 school, or a veterinary school, located outside
14 the United States shall not be required to meet
15 the requirements of section 101(a)(4)). Such
16 criteria shall include a requirement that a stu-
17 dent attending such school outside the United
18 States is ineligible for loans made, insured, or
19 guaranteed under part B unless—

20 “(i) in the case of a graduate medical
21 school located outside the United States—

22 “(I)(aa) at least 60 percent of
23 those enrolled in, and at least 60 per-
24 cent of the graduates of, the graduate
25 medical school outside the United

1 States were not persons described in
2 section 484(a)(5) in the year pre-
3 ceding the year for which a student is
4 seeking a loan under part B of title
5 IV; and

6 “(bb) at least 60 percent of the
7 individuals who were students or
8 graduates of the graduate medical
9 school outside the United States (both
10 nationals of the United States and
11 others) taking the examinations ad-
12 ministered by the Educational Com-
13 mission for Foreign Medical Grad-
14 uates received a passing score in the
15 year preceding the year for which a
16 student is seeking a loan under part
17 B of title IV; or

18 “(II) the institution has a clinical
19 training program that was approved
20 by a State as of January 1, 1992; or

21 “(ii) in the case of a veterinary school
22 located outside the United States that does
23 not meet the requirements of section
24 101(a)(4)—

1 “(I) the institution was certified
2 by the Secretary as eligible to partici-
3 pate in the loan program under part
4 B of title IV before October 1, 1999;
5 and

6 “(II) the institution’s students
7 complete their clinical training at an
8 approved veterinary school located in
9 the United States.”.

10 (3) Section 102(a)(3)(A) (20 U.S.C.
11 1002(a)(3)(A)) is amended by striking “section
12 521(4)(C) of the Carl Perkins Vocational and Ap-
13 plied Technology Education Act” and inserting “sec-
14 tion 3(3)(C) of the Carl D. Perkins Vocational and
15 Technical Education Act of 1998”.

16 (4) Section 103(7) (20 U.S.C. 1003(7)) is
17 amended to read as follows:

18 “(7) NEW BORROWER.—The term ‘new bor-
19 rower’ when used with respect to any date for any
20 loan under any provision of—

21 “(A) part B or part D of title IV means
22 an individual who on that date has no out-
23 standing balance of principal or interest owing
24 on any loan made, insured, or guaranteed under
25 either such part; and

1 “(B) part E of title IV means an indi-
2 vidual who on that date has no outstanding bal-
3 ance of principal or interest owing on any loan
4 made under that part.”.

5 (5) Section 131(a)(3)(A)(iii) (20 U.S.C.
6 1015(a)(3)(A)(iii)) is amended—

7 (A) by striking “an undergraduate” and
8 inserting “a full-time undergraduate”; and

9 (B) in subclause (I), by striking “section
10 428(a)(2)(C)(i)” and inserting “section
11 428(a)(2)(C)(ii)”.

12 (6) Section 131(b) is amended by striking “the
13 costs for typical” and inserting “the prices for, and
14 financial aid provided to, typical”.

15 (7) Section 131(c)(2)(B) is amended by striking
16 “costs” and inserting “prices”.

17 (8) Section 131(d)(1) is amended by striking
18 “3 years” and inserting “4 years”.

19 (9) Section 141 (20 U.S.C. 1018) is amended—

20 (A) in subsection (a)(2)(B), by inserting
21 “total and unit” after “to reduce the”;

22 (B) in subsection (c)—

23 (i) in paragraph (1)(A), by striking
24 “Each year” and inserting “Each fiscal
25 year”;

1 (ii) in paragraph (1)(B), by inserting
2 “guaranty agencies,” after “lenders,”; and

3 (iii) in paragraph (2)—

4 (I) in subparagraph (A), by striking
5 “expenditures” and inserting “ad-
6 ministrative expenditures for the most
7 recent fiscal year”; and

8 (II) in subparagraph (B), by
9 striking “1990 and” and inserting
10 “1990,” and by inserting before the
11 period at the end the following: “, and
12 other relevant legislation”;

13 (C) in subsection (f)(3)(A), by striking
14 “paragraph (1)(A)” and inserting “paragraph
15 (1)”; and

16 (D) in subsection (g)(3), by adding at the
17 end the following new sentence: “The names
18 and compensation for those individuals shall be
19 included in the annual report under subsection
20 (c)(2).”.

21 (b) AMENDMENTS TO TITLE III.—

22 (1) Subsection (g) of section 324 (20 U.S.C.
23 1063(g)) is amended to read as follows:

24 “(g) SPECIAL RULE FOR CERTAIN DISTRICT OF Co-
25 LUMBIA ELIGIBLE INSTITUTIONS.—

1 “(1) HOWARD UNIVERSITY.—In any fiscal year
2 that the Secretary determines that Howard Univer-
3 sity will receive an allotment under subsections (b)
4 and (c) which is not in excess of amounts received
5 by Howard University under the Act of March 2,
6 1867 (14 Stat. 438; 20 U.S.C. 123), relating to the
7 annual appropriations for Howard University, then
8 Howard University shall be ineligible to receive an
9 allotment under this section.

10 “(2) UNIVERSITY OF THE DISTRICT OF COLUM-
11 BIA.—In any fiscal year, the University of the Dis-
12 trict of Columbia may receive financial assistance
13 under this part, or under section 4(c) of the District
14 of Columbia College Access Act of 1999 (P.L. 106–
15 98), but not under both this part and such section.”.

16 (2) Section 326(e)(1) (20 U.S.C. 1063b(e)(1))
17 is amended, in the matter preceding subparagraph
18 (A), by inserting a colon after “the following”.

19 (3) Section 342(5)(C) (20 U.S.C. 1066a(5)(C))
20 is amended—

21 (A) by inserting a comma after “equip-
22 ment” the first place it appears; and

23 (B) by striking “technology,,” and insert-
24 ing “technology,”.

1 (4) Section 343(e) (20 U.S.C. 1066b(e)) is
2 amended by inserting after the subsection designa-
3 tion the following: “SALE OF QUALIFIED
4 BONDS.—”.

5 (5) Section 1024 (20 U.S.C. 1135b-3), as
6 transferred by section 301(a)(5) of the Higher Edu-
7 cation Amendments of 1998 (Public Law 105-244;
8 112 Stat. 636), is repealed.

9 (c) AMENDMENTS TO PART A OF TITLE IV.—

10 (1) Section 402D (20 U.S.C. 1070a-14) is
11 amended—

12 (A) by redesignating subsection (c) as sub-
13 section (d); and

14 (B) by inserting after subsection (b) the
15 following new subsection:

16 “(c) SPECIAL RULE.—

17 “(1) USE FOR STUDENT AID.—A recipient of a
18 grant that undertakes any of the permissible services
19 identified in subsection (b) may, in addition, use
20 such funds to provide grant aid to students if the re-
21 cipient demonstrates in its application, to the satis-
22 faction of the Secretary, that the size of the grants
23 it will provide to students is appropriate and likely
24 to have a significant impact on retention at that in-
25 stitution. In making grants to students under this

1 subsection, an institution shall ensure that adequate
2 consultation takes place between the student support
3 service program office and the institution's financial
4 aid office.

5 “(2) ELIGIBLE STUDENTS.—For purposes of
6 receiving grant aid under this subsection, eligible
7 students must be current participants in the student
8 support services program offered by the institution
9 and be—

10 “(A) students who are in their first 2 years
11 of postsecondary education and who are receiv-
12 ing Federal Pell Grants under subpart 1; or

13 “(B) students who have completed their
14 first 2 years of postsecondary education and
15 who are receiving Federal Pell Grants under
16 subpart 1 if the institution demonstrates to the
17 satisfaction of the Secretary that—

18 “(i) these students are at high risk of
19 dropping out; and

20 “(ii) it will first meet the needs of all
21 its eligible first- and second-year students
22 for services under this paragraph.

23 “(3) DETERMINATION OF NEED.—A grant pro-
24 vided to a student under paragraph (1) shall not be
25 considered in determining that student's need for

1 grant or work assistance under this title, except that
2 in no case shall the total amount of student financial
3 assistance awarded to a student under this title ex-
4 ceed that student's cost of attendance, as defined in
5 section 472.

6 “(4) MATCHING REQUIRED.—A recipient of a
7 grant who uses such funds for the purpose described
8 in paragraph (1) shall match the funds used for
9 such purpose, in cash, from non-Federal funds, in
10 an amount that is not less than 33 percent of the
11 total amount of funds used for that purpose. This
12 paragraph shall not apply to any grant recipient
13 that is an institution of higher education eligible to
14 receive funds under part A or B of title III or title
15 V.

16 “(5) RESERVATION.—For any fiscal year after
17 the date of enactment of the Higher Education
18 Technical Amendments of 2000, the Secretary may
19 reserve not more than 20 percent of the funds avail-
20 able under this section for grant aid in accordance
21 with this subsection.”.

22 (2)(A) Section 404A(b) (20 U.S.C. 1070a–
23 21(b)) is amended by adding at the end thereof the
24 following new paragraph:

1 “(3) DURATION.—An award made by the Sec-
2 retary under this chapter to an eligible entity de-
3 scribed in paragraph (1) or (2) of subsection (c)
4 shall be for a period of 6 years.”.

5 (B) The amendment made by subparagraph (A)
6 shall be effective for awards made for fiscal year
7 2000 and succeeding fiscal years, except that the
8 Secretary shall permit recipients of 5-year grants
9 made for fiscal year 1999 to amend their applica-
10 tions to include a 6-year project period.

11 (3) Section 415E(c) (20 U.S.C. 20 U.S.C.
12 1070c–3a(c)) is amended to read as follows:

13 “(c) AUTHORIZED ACTIVITIES.—Each State receiv-
14 ing a grant under this section may use the grant funds
15 for—

16 “(1) making awards that—

17 “(A) supplement grants received under
18 section 415A by eligible students who dem-
19 onstrate financial need; or

20 “(B) provide grants under section 415A to
21 additional eligible students who demonstrate fi-
22 nancial need;

23 “(2) providing scholarships for eligible
24 students—

25 “(A) who demonstrate financial need; and

1 “(B) who—

2 “(i) desire to enter a program of
3 study leading to a career in—

4 “(I) information technology;

5 “(II) mathematics, computer
6 science, or engineering; or

7 “(III) another field determined
8 by the State to be critical to the
9 State’s workforce needs; or

10 “(ii) demonstrate merit or academic
11 achievement and desire; and

12 “(3) making awards that—

13 “(A) supplement community service work-
14 study awards received under section 415A by
15 eligible students who demonstrate financial
16 need; or

17 “(B) provide community service work-
18 study awards under section 415A to additional
19 eligible students who demonstrate financial
20 need.”.

21 (4) Section 415E (20 U.S.C. 20 U.S.C. 1070c–
22 3a) is amended by adding at the end the following:

23 “(f) SPECIAL RULE.—Notwithstanding subsection
24 (d), for purposes of determining a State’s share of the cost
25 of the authorized activities described in subsection (c)—

1 “(1) in the case of a State that participates in
2 the program authorized under this section in fiscal
3 year 2000—

4 “(A) if such State participates in the pro-
5 gram in fiscal year 2001, for that year the
6 State shall consider only those expenditures
7 from non-Federal sources that exceed its ex-
8 penditures for activities authorized under this
9 subpart for fiscal year 1999; or

10 “(B) if such State does not participate in
11 the program in fiscal year 2001, but partici-
12 pates in the program in a succeeding fiscal
13 year, for the first fiscal year after fiscal year
14 2001 in which the State participates in the pro-
15 gram, the State shall consider only those ex-
16 penditures from non-Federal sources that ex-
17 ceed its expenditures for activities authorized
18 under this subpart for the preceding fiscal year,
19 or fiscal year 1999, whichever is greater; and

20 “(2) in the case of a State that participates in
21 the program authorized under this section for the
22 first time after fiscal year 2000, for the first fiscal
23 year in which the State participates in the program,
24 the State shall consider only those expenditures from
25 non-Federal sources that exceed its expenditures for

1 activities authorized under this subpart for the pre-
2 ceding fiscal year.

3 “(g) USE OF FUNDS FOR ADMINISTRATIVE COSTS
4 PROHIBITED.—A State receiving a grant under this sec-
5 tion shall not use any of the grant funds to pay adminis-
6 trative costs associated with any of the authorized activi-
7 ties described in subsection (c).”.

8 (5) Section 419C(b)(1) (20 U.S.C. 1070d–
9 33(b)(1)) is amended by inserting “and” after the
10 semicolon at the end thereof.

11 (6) Section 419D(d) (20 U.S.C. 1070d–34(d))
12 is amended by striking “Public Law 95–1134” and
13 inserting “Public Law 95–134”.

14 (d) AMENDMENTS TO PART B OF TITLE IV.—

15 (1) Section 425(a)(1)(A)(i)(II) (20 U.S.C.
16 1075(a)(1)(A)(i)(II)) is amended to read as follows:

17 “(II) if such student is enrolled in a
18 program of undergraduate education that
19 is less than 1 academic year, the maximum
20 annual loan amount that such student may
21 receive may not exceed the lesser of—

22 “(aa) the amount that bears the
23 same ratio to the amount specified in
24 subclause (I) as the length of such
25 program measured in semester, tri-

1 mester, quarter, or clock hours bears
2 to 1 academic year; or

3 “(bb) the amount that bears the
4 same ratio to the amount specified in
5 subclause (I) as the length of such
6 program measured in weeks of in-
7 struction bears to 1 academic year;”.

8 (2) Section 428(a)(2)(A) (20 U.S.C.
9 1078(a)(2)(A)(i)) is amended—

10 (A) by striking “and” at the end of sub-
11 clause (II) of clause (i); and

12 (B) by moving the margin of clause (iii)
13 two ems to the left.

14 (3) Section 428(b)(1) is amended—

15 (A) in subparagraph (A)(i), by striking
16 subclause (II) and inserting the following:

17 “(II) if such student is enrolled
18 in a program of undergraduate edu-
19 cation that is less than 1 academic
20 year, the maximum annual loan
21 amount that such student may receive
22 may not exceed the lesser of—

23 “(aa) the amount that bears
24 the same ratio to the amount
25 specified in subclause (I) as the

1 length of such program measured
2 in semester, trimester, quarter,
3 or clock hours bears to 1 aca-
4 demic year; or

5 “(bb) the amount that bears
6 the same ratio to the amount
7 specified in subclause (I) as the
8 length of such program measured
9 in weeks of instruction bears to 1
10 academic year;”; and

11 (B) in subparagraph (Y)(i), by striking
12 “subparagraph (M)(i)” and inserting “subpara-
13 graph (M)(i)(I)”.

14 (4) Section 428(c)(3)(B) (20 U.S.C.
15 1078(c)(3)(B)) is amended by inserting before the
16 semicolon at the end the following: “and recorded in
17 the borrower’s file, except that such regulations shall
18 not require such agreements to be in writing”.

19 (5) Section 428C(a)(3)(B) (20 U.S.C. 1078–
20 3(a)(3)(B)) is amended by adding at the end the fol-
21 lowing new clause:

22 “(ii) Loans made under this section shall, to the ex-
23 tent used to discharge loans made under this title, be
24 counted against the applicable limitations on aggregate in-

1 debtedness contained in section 425(a)(2), 428(b)(1)(B),
2 428H(d), 455, and 464(a)(2)(B).”.

3 (6) Section 428H(d)(2)(A)(ii) (20 U.S.C.
4 1078–8(d)(2)(A)(ii)) is amended to read as follows:

5 “(ii) if such student is enrolled in a
6 program of undergraduate education that
7 is less than 1 academic year, the maximum
8 annual loan amount that such student may
9 receive may not exceed the lesser of—

10 “(I) the amount that bears the
11 same ratio to the amount specified in
12 clause (i) as the length of such pro-
13 gram measured in semester, trimester,
14 quarter, or clock hours bears to 1 aca-
15 demic year; or

16 “(II) the amount that bears the
17 same ratio to the amount specified in
18 subclause (I) as the length of such
19 program measured in weeks of in-
20 struction bears to 1 academic year;”.

21 (7) Section 428H(e) is amended—

22 (A) by striking paragraph (6); and

23 (B) by redesignating paragraph (7) as
24 paragraph (6).

1 (8) Section 432(m)(1) (20 U.S.C. 1082(m)(1))

2 is amended—

3 (A) in subparagraph (B)—

4 (i) in clause (i), by inserting “and”
5 after the semicolon at the end; and

6 (ii) in clause (ii), by striking “; and”
7 and inserting a period;

8 (B) by striking clause (iv) of subparagraph
9 (D); and

10 (C) by adding at the end the following new
11 subparagraph:

12 “(E) PERFECTION OF SECURITY INTER-
13 ESTS IN STUDENT LOANS.—

14 “(i) IN GENERAL.—Notwithstanding
15 the provisions of any State law to the con-
16 trary, including the Uniform Commercial
17 Code as in effect in any State, a security
18 interest in loans made under this part, on
19 behalf of any eligible lender (as defined in
20 section 435(d)) shall attach, be perfected,
21 and be assigned priority in the manner
22 provided by the applicable State’s law for
23 perfection of security interests in accounts,
24 as such law may be amended from time to
25 time (including applicable transition provi-

1 sions). If any such State's law provides for
2 a statutory lien to be created in such
3 loans, such statutory lien may be created
4 by the entity or entities governed by such
5 State law in accordance with the applicable
6 statutory provisions that created such a
7 statutory lien.

8 “(ii) COLLATERAL DESCRIPTION.—In
9 addition to any other method for describ-
10 ing collateral in a legally sufficient manner
11 permitted under the laws of the State, the
12 description of collateral in any financing
13 statement filed pursuant to this section
14 shall be deemed legally sufficient if it lists
15 such loans, or refers to records (identifying
16 such loans) retained by the secured party
17 or any designee of the secured party iden-
18 tified in such financing statement, includ-
19 ing the debtor or any loan servicer.

20 “(iii) SALES.—Notwithstanding the
21 foregoing and any provisions of any State
22 law to the contrary, other than any such
23 State's law providing for creation of a stat-
24 utory lien, an outright sale of loans made
25 under this part shall be effective and per-

1 fected automatically upon attachment as
2 defined in the Uniform Commercial Code
3 of such State.”.

4 (9) Section 435(a)(5) (20 U.S.C. 1085(a)(5)) is
5 amended—

6 (A) in subparagraph (A)(i), by striking
7 “July 1, 2002,” and inserting “July 1, 2004,”;
8 and

9 (B) in subparagraph (B), by striking
10 “1999, 2000, and 2001” and inserting “1999
11 through 2003”.

12 (10) Subparagraphs (A) and (F) of section
13 438(b)(2) (20 U.S.C. 1087–1(b)(2)) are each
14 amended by striking the last sentence.

15 (11) Section 439(d) (20 U.S.C. 1087–2(d)) is
16 amended by striking paragraph (3).

17 (e) AMENDMENTS TO PART C OF TITLE IV.—Section
18 443(b)(2)(B) (42 U.S.C. 2753(b)(2)(B)) is amended by
19 inserting “(including a reasonable amount of time spent
20 in travel or training directly related to such community
21 service)” after “community service”.

22 (f) AMENDMENT TO PART D OF TITLE IV.—Para-
23 graph (6) of section 455(b) (20 U.S.C. 1087e(b)), as re-
24 designated by section 8301(c)(1) of the Transportation
25 Equity for the 21st Century Act (112 Stat. 498) is redes-

1 ignated as paragraph (8), and is moved to follow para-
2 graph (7) as added by 452(b) of the Higher Education
3 Amendments of 1998 (112 Stat. 1716).

4 (g) AMENDMENTS TO PART E OF TITLE IV.—

5 (1) Section 462(g)(1)(E)(i)(I) (20 U.S.C.
6 1087bb(g)(1)(E)(i)(I)) is amended by inserting
7 “monthly” after “consecutive”.

8 (2) Section 464(c)(1)(D) (20 U.S.C.
9 1087dd(c)(1)(D)) is amended by redesignating sub-
10 clauses (I) and (II) as clauses (i) and (ii), respec-
11 tively.

12 (3) Section 464(c)(2)(A)(iv) is amended by in-
13 serting before the semicolon at the end the following:
14 “, except that interest shall continue to accrue on
15 such loans and such interest shall be eligible for can-
16 cellation under section 465”.

17 (4) Section 464(h) is amended—

18 (A) in paragraph (1)(A)—

19 (i) by inserting “, and the loan default
20 has not been reduced to a judgment
21 against the borrower,” after “defaulted on
22 the loan”; and

23 (ii) by inserting after “held by the
24 Secretary,” the following: “or if the bor-
25 rower of a loan under this part who has

1 defaulted on the loan elects to make a sin-
2 gle payment equal to the full amount of
3 principal and interest and collection costs
4 owed on the loan,”; and

5 (B) by adding at the end the following new
6 paragraph:

7 “(3) SPECIAL RULE.—At the discretion of the
8 institution or the Secretary, for the purpose of re-
9 ceiving the benefits of this subsection, a loan that is
10 in default and reduced to judgment may be consid-
11 ered rehabilitated if—

12 “(A) the borrower makes 12 on-time, con-
13 secutive, monthly payments of amounts owed on
14 the loan, as determined by the institution, or by
15 the Secretary in the case of a loan held by the
16 Secretary; or

17 “(B) the borrower makes a single payment
18 equal to the full amount of principal and inter-
19 est and collection costs owed on the loan.”.

20 (5)(A) Section 465(a)(2) (20 U.S.C.
21 1087ee(a)(2)) is amended—

22 (i) in subparagraph (A), by striking “sec-
23 tion 111(c)” and inserting “section
24 1113(a)(5)”;

1 (ii) in subparagraph (C), by striking “With
2 Disabilities” and inserting “with Disabilities”;
3 and

4 (iii) in subparagraph (F), by inserting be-
5 fore the semicolon at the end the following: “,
6 other than prosecutors or public defenders”.

7 (B) The amendment made by subparagraph
8 (A)(iii) shall not apply to any borrower who, prior
9 to the date of enactment of this Act, was receiving
10 cancellation of indebtedness under section
11 465(a)(2)(F) of the Higher Education Act of 1965.

12 (6) Section 467(b) (20 U.S.C. 1087gg(b)) is
13 amended by striking “paragraph (5)(A), (5)(B)(i),
14 or (6)” and inserting “(4)(A), (4)(B), or (5)”.

15 (7) Section 469(c) (20 U.S.C. 1087ii(c)) is
16 amended—

17 (A) by striking “sections 602(a)(1) and
18 672(1)” and inserting “sections 602(3) and
19 632(5)”;

20 (B) by striking “qualified professional pro-
21 vider of early intervention services” and insert-
22 ing “early intervention services”; and

23 (C) by striking “section 672(2)” and in-
24 serting “section 632(4)”.

25 (h) AMENDMENTS TO PART F OF TITLE IV.—

1 (1) Section 471 (20 U.S.C. 1087kk) is amended
2 by striking “subparts 1 or 2” and inserting “subpart
3 1, 2, or 4”.

4 (2) Section 478 (20 U.S.C. 1087rr) is
5 amended—

6 (A) in subsection (b)(1)—

7 (i) by striking “academic year 1993–
8 1994” and inserting “academic year 2000–
9 2001”; and

10 (ii) by striking “December 1992” and
11 inserting “December 1999”; and

12 (B) in subsection (h)—

13 (i) by striking “476(b)(4)(B),”; and

14 (ii) by striking “meals away from
15 home, apparel and upkeep, transportation,
16 and housekeeping services” and inserting
17 “food away from home, apparel, transpor-
18 tation, and household furnishings and op-
19 erations”.

20 (3) Section 479A(a) (20 U.S.C. 1087tt(a)) is
21 amended by inserting “a student’s status as a ward
22 of the court at any time prior to attaining 18 years
23 of age,” after “487,”.

24 (i) AMENDMENTS TO PARTS G AND H OF TITLE
25 IV.—

1 (1) Section 482(a) (20 U.S.C. 1089(a)) is
2 amended by adding at the end the following new
3 paragraph:

4 “(5) The Secretary shall provide a period for
5 public comment of not less than 45 days after publi-
6 cation of any notice of proposed rulemaking pub-
7 lished after the date of the enactment of the Higher
8 Education Technical Amendments of 2000 affecting
9 programs under this title.”.

10 (2) Section 483(d) (20 U.S.C. 1090(d)) is
11 amended by striking “that is authorized under sec-
12 tion 685(d)(2)(C)” and inserting “, or other appro-
13 priate provider of technical assistance and informa-
14 tion on postsecondary educational services, that is
15 supported under section 685”.

16 (3) Section 484 (20 U.S.C. 1091) is amended—

17 (A) in subsection (a)(4), by striking “cer-
18 tification,,” and inserting “certification,”;

19 (B) in subsection (b)(2)—

20 (i) in the matter preceding subpara-
21 graph (A), by striking “section 428A” and
22 inserting “section 428H”;

23 (ii) in subparagraph (A), by inserting
24 “and” after the semicolon at the end
25 thereof;

1 (iii) in subparagraph (B), by striking

2 “; and” and inserting a period; and

3 (iv) by striking subparagraph (C);

4 (C) in subsection (d)(3), by inserting “cer-
5 tifies that he or she” after “The student”; and

6 (D) in subsection (l)(1)(B)(i), by striking
7 “section 521(4)(C) of the Carl D. Perkins Vo-
8 cational and Applied Technology Education
9 Act” and inserting “section 3(3)(C) of the Carl
10 D. Perkins Vocational and Technical Education
11 Act of 1998”.

12 (4)(A) Section 484(r)(1) is amended by insert-
13 ing after “controlled substance” the following: “dur-
14 ing any period of enrollment for which the student
15 was receiving assistance under this title”.

16 (B) Section 484(r) is further amended—

17 (i) by redesignating paragraph (3) as para-
18 graph (4); and

19 (ii) by inserting after paragraph (2) the
20 following new paragraph:

21 “(3) CONSEQUENCES OF FAILURE TO AN-
22 SWER.—Any student who fails to answer a question
23 of the common financial aid form developed under
24 section 483 that relates to eligibility or ineligibility

1 under this subsection shall be treated as ineligible
2 until such question is answered.”.

3 (C) The amendments made by this paragraph
4 shall be effective for academic years beginning on or
5 after July 1, 2001.

6 (5)(A) Section 484B (20 U.S.C. 1091b) is
7 amended—

8 (i) in subsection (a)(1), by inserting “sub-
9 part 4 of part A or” after “received under”;

10 (ii) in subsection (a)(3)(B)(ii) by inserting
11 “(as determined in accordance with subsection
12 (d))” after “student has completed”; and

13 (iii) in subsection (b)(2)—

14 (I) in subparagraph (B)(ii), by strik-
15 ing “subject to—” through to the end of
16 such subparagraph and inserting “subject
17 to the procedures described in subpara-
18 graph (C)(ii).”; and

19 (II) by amending subparagraph (C) to
20 read as follows:

21 “(C) GRANT OVERPAYMENT REQUIRE-
22 MENTS.—(i) Notwithstanding subparagraphs
23 (A) and (B), and subject to clause (ii), a stu-
24 dent shall not be required to return 50 percent
25 of the total grant assistance received by a stu-

1 dent under this title for a payment period or
2 period of enrollment. A student shall not be re-
3 quired to return amounts of less than \$50.

4 “(ii) Subject to clause (iii), a student shall
5 be permitted to repay any grant overpayment
6 determined under this section under terms that
7 permit the student to maintain his or her eligi-
8 bility for further assistance under this title, in-
9 cluding a period during which no payment is
10 due from the student—

11 “(I) for 6 months, beginning on the
12 day the student withdrew; and

13 “(II) while the student is pursuing at
14 least a half-time course of study, as deter-
15 mined by the institution.

16 “(iii) Clause (ii) shall not apply to a stu-
17 dent who is in default on any repayment obliga-
18 tions under this title, or who has not made sat-
19 isfactory repayment arrangements with respect
20 to such obligations.”.

21 (B) The amendments made by subparagraph
22 (A) shall be effective for the academic year begin-
23 ning July 1, 2001, except that, in the case of an in-
24 stitution of higher education that chooses to imple-
25 ment such amendments prior to that date, such

1 amendments shall be effective on the date of such
2 institution's implementation.

3 (6) Section 485(a)(1) (20 U.S.C. 1092(a)(1)) is
4 amended by striking "mailings, and" and inserting
5 "mailings, or".

6 (7)(A) Section 485(f)(1) (20 U.S.C. 1092(f)(1))
7 is amended by adding at the end the following new
8 subparagraph:

9 "(I) A statement of policy concerning the han-
10 dling of reports on missing students, including—

11 "(i) the policy with respect to notification
12 of parents, guardians, and local police agencies
13 and timing of such notification; and

14 "(ii) the institution's policy for inves-
15 tigating reports on missing students and for co-
16 operating with local police agencies in the inves-
17 tigation of a report of a missing student.".

18 (B) The amendment made by this paragraph
19 shall be effective for academic years beginning on or
20 after July 1, 2001.

21 (8) Section 485 is further amended by adding
22 at the end the following new subsection:

23 "(h) NEW OR REVISED REQUIREMENTS.—For any
24 new requirement for institutional disclosure or reporting
25 under this Act enacted after April 1, 2000, the period for

1 which data must be collected shall begin no sooner than
2 180 days after the publication of final regulations or guid-
3 ance. The final regulations or guidance shall include any
4 required data elements or method of collection (or both).
5 The Secretary shall take reasonable and appropriate steps
6 to ensure that institutions have adequate time to collect
7 and prepare the required data before public disclosure or
8 submission to the Secretary.”.

9 (9) Section 485B(a) (20 U.S.C. 1092b(a)) is
10 amended—

11 (A) by redesignating the paragraphs fol-
12 lowing paragraph (5) (as added by section 2008
13 of Public Law 101–239) as paragraphs (6)
14 through (11), respectively; and

15 (B) in such paragraph (5)—

16 (i) by striking “(22 U.S.C. 2501 et
17 seq.),” and inserting “(22 U.S.C. 2501 et
18 seq.),”; and

19 (ii) by striking the period at the end
20 thereof and inserting a semicolon.

21 (10) Section 487(a)(22) (20 U.S.C.
22 1094(a)(22)) is amended by striking “refund policy”
23 and inserting “refund of title IV funds policy”.

1 (11) Section 491(c) (20 U.S.C. 1098(c)) is
2 amended by adding at the end the following new
3 paragraph:

4 “(3) The appointment of members under subpara-
5 graphs (A) and (B) of paragraph (1) shall be effective
6 upon publication of the appointment in the Congressional
7 Record.”.

8 (12) Section 498 (20 U.S.C. 1099e) is
9 amended—

10 (A) in subsection (b)(5), by striking “insti-
11 tution,” and inserting “institution (but subject
12 to the requirements of section 484(b)),”;

13 (B) in subsection (c)(2), by striking “for
14 profit,” and inserting “for-profit,”; and

15 (C) in subsection (d)(1)(B), by inserting
16 “and” at the end thereof.

17 (j) AMENDMENTS TO TITLE V.—

18 (1) Section 504(a) (20 U.S.C. 1101c(a)) is
19 amended—

20 (A) by striking “(1) IN GENERAL.—”; and

21 (B) by striking paragraph (2).

22 (2) The amendments made by this subsection
23 shall be effective on the date of enactment of this
24 Act.

1 (k) AMENDMENT TO TITLE VI.—Section 604(c) (20
2 U.S.C. 1124(c)) is amended by striking “this part” and
3 inserting “this title”.

4 (l) AMENDMENTS TO TITLE VII.—

5 (1) Section 701(a) (20 U.S.C. 1134(a)) is
6 amended by striking the third sentence and inserting
7 the following: “Funds appropriated for a fiscal year
8 shall be obligated and expended for fellowships
9 under this subpart for use in the academic year be-
10 ginning after July 1 of such fiscal year.”.

11 (2) Section 714(c) (20 U.S.C. 1135c(c)) is
12 amended—

13 (A) by striking “section 716(a)” and in-
14 serting “section 715(a)”; and

15 (B) by striking “section 714(b)(2)” and in-
16 serting “section 713(b)(2)”.

17 (m) AMENDMENT TO TITLE VIII.—Section 857(a) of
18 the Higher Education Amendments of 1998 (112 Stat.
19 1824) is amended by striking “1999” and inserting
20 “2001”.

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